

TI-28444

Patent Amendment

REMARKS

This application has been carefully reviewed in light of the Office Action dated April 6, 2004. Reconsideration and favorable action in this case are respectfully requested.

The Examiner has rejected claims 1-3, 5-10, 12, 14-19, 21 and 23 under 35 U.S.C. §102(b) as being unpatentable over U.S. Pat. No. 4,944,009 to Micali. Applicant has reviewed this reference in detail and does not believe that it discloses or makes obvious the invention as claimed.

In the previous Office Action, the Examiner indicated that claims 4-9 and 13-19 would be allowable if rewritten in independent form. In this regard, Applicant amended claim 1 to incorporate the subject matter of claim 4 and amended claim 10 to incorporate the subject matter of claim 13. The subject matter of claim 7, which was indicated as allowable prior to amendment of claim 1, was added as new claim 20. The subject matter of claim 8, which was indicated as allowable prior to amendment of claim 1, was added as new claim 21. Claim 9 was amended to depend on claim 21. The subject matter of claim 17, which was indicated as allowable prior to amendment of claim 10, was added as claim 22. The subject matter of claim 18, which was indicated as allowable prior to amendment of claim 10, was added as claim 23. Claim 19 was amended to depend on claim 23.

In the most recent Office Action (April 6, 2004), the Examiner indicated that only claims 20 and 22 were allowed. In the statement of reasons, the Examiner stated that "[t]he prior art does not disclose concatenation at arbitrary positions within the pseudo random sequences." The Examiner did not provide reasons for not allowing the remaining claims previously indicated as allowable.

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The element of concatenation of pseudo random sequences at arbitrary positions is found in independent claims 1 and 10. Claims 2-3 and 5-8 are dependent upon claim 1 and, therefore, include this element as well. Similarly, claims 12, 14, 15-18 are dependent upon claim 10 and, therefore, include this element as well. Applicant therefore respectfully requests allowance of these claims.

Independent claims 21 and 23 were added because of the Examiner's indication of the allowability of claims 8 and 18 (subsequently canceled). The Examiner states that Micali show the generation of several pseudo random sequences (pseudo noise sequences) that are subsequently concatenated (Col. 6, lines 33-39), which meets the limitation of synchronizing the augmented sequence to reference clock. Since "concatenation" is used to generate the augmented sequence, Applicant fails to see how it can also be used to "synchronize the augmented sequence to a reference clock."

Accordingly, Applicant respectfully requests allowance of claims 21 and 23, along with dependent claims 9 and 19.

Further, since the subject matter of claims 1, 10, 21 and 23 were indicated as allowable over Micali in the Office Action of December 3, 2003, Applicant does not believe that the Examiner can now issue a final rejection on these claims. Applicant was not afforded the opportunity to argue the allowability of these claims in the previous response because of the Examiner's indication of allowance.

The Commissioner is hereby authorized to charge any fees or credit any overpayment, including extension fees, to Deposit Account No. 20-0668 of Texas Instruments Incorporated.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is

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respectfully requested that the Examiner telephone Alan W. Lintel, Applicant's Attorney at (972) 664-9595 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,



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